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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

FUSION MULTISYSTEMS, INC. d/b/a
FUSION-IO,

Plaintiff,

vs.

DONALD G. BASILE,

Defendant.

Case No.

**NOTICE OF PLAINTIFF'S MOTION TO
SEAL**

TO:

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COUNSEL:

PLEASE TAKE NOTICE that on Monday, October 5, 2009, at 10:00 a.m. or as soon thereafter, as counsel may be heard, plaintiffs Fusion Multisystems, Inc. d/b/a Fusion-io ("Fusion-io") will move, by and through their undersigned counsel, before the United States District Court for the District of New Jersey, Martin Luther King Jr. Federal Building & United States Courthouse, Newark, New Jersey, for an entry of Order pursuant to L.Civ.R. 5.3(c) and L.Civ.R. 7.1 sealing the following documents relied upon in support of Plaintiff's Motion to Compel:

- 1) Three internal e-mails produced by Violin Memory, Inc. and marked confidential by the same pursuant to the Protective Order stipulated to by the parties.

The motion is based on this Notice, the accompanying memorandum in support of the motion, the papers on file in this action, any matter of which the Court may take judicial notice, any oral argument given at the time of the hearing on this motion, and any other matter that the Court deems appropriate.

DATED this 11th day of September, 2009.

O'MELVENY & MYERS LLP

By: 

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